

complaint

Mr J is unhappy with Vanquis Bank Limited because it refused to activate his Repayment Option Plan (ROP) and freeze his credit card account when he wasn't working.

background

Mr J took the bank's ROP with his credit card. It allowed him, for an extra monthly payment and subject to its terms and conditions, to freeze his account for up to two years if an event such as an accident, illness or unemployment happened.

Mr J's wife also had the ROP on her own credit card with Vanquis. Mr and Mrs J spoke to Vanquis in May 2013 to activate their respective plans as neither of them was working. Mr J had fallen into arrears. The bank sent the relevant individual forms to them both asking for proof that Mrs J was unable to work because she was ill and that Mr J was caring for her. Mrs J's ROP was activated but Mr J's wasn't. Mr J's account fell further into arrears until it defaulted in September 2013, resulting in the ROP being removed. The account is now with a debt collection agency.

Mr J complained that Vanquis should have frozen his account. The bank rejected his complaint. It said that he hadn't provided the information it had asked for and the ROP could no longer be activated as it had been removed. Vanquis asked Mr J to contact the debt collection agency and also provided details of various debt advice organisations.

Our adjudicator's view was that the bank had done nothing wrong. He found that Mr J had supplied insufficient evidence to Vanquis for it to activate the ROP. Mr J disagrees. He says he was off work sick and supplied exactly the same information as his wife. He says Vanquis has made an error in thinking he was off work to care for his wife.

my findings

I have considered all the available evidence and arguments to decide what is fair and reasonable in the circumstances of this complaint.

I have listened to the call Mr and Mrs J made to Vanquis in May 2013, asking to activate their ROPs. Mrs J said she was off work ill and that Mr J was off work looking after her. Mr J also said he was off work looking after his wife. Although he didn't specifically say he was receiving carer's allowance, I think it was reasonable for Vanquis to believe Mr J was off work to care for his wife – not off work due to being sick or unemployed. That is, after all, what Mr J had told it.

The bank wrote to Mr J the same day asking for proof that he was caring for his wife. It asked again when it didn't receive that information. I find nothing to indicate that Mr J told Vanquis he was in fact off work sick until January 2014, or that he sent it anything to demonstrate that. The terms and conditions of the ROP say the ROP won't be activated without evidence to support a claim. In all the circumstances, I find Vanquis has acted in line with those terms, and that it was entitled to decide not to activate the ROP.

For these reasons, I don't consider Vanquis has done anything wrong. I note as well that it offered to accept reduced payments to clear the debt, and gave Mr J information about where he can get free debt advice. I think that was appropriate, and it's now for Mr J to contact the debt collection agency to discuss his situation.

my final decision

My final decision is that I don't uphold this complaint.

Under the rules of the Financial Ombudsman Service, I am required to ask Mr J to accept or reject my decision before 24 December 2014.

John Miles
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